

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically on November 20, 2019, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: November 20, 2019




ARTHUR I. HARRIS
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO – EASTERN DIVISION**

In Re:	Case No.: 11-17843
Waco Holdings, Inc., <i>et al.</i> ,	Chapter 7
Debtors.	Judge: Arthur I. Harris

AGREED ORDER ALLOWING ADMINISTRATIVE EXPENSE CLAIMS

THIS MATTER having come before the Court upon the various motions (the “Motions”) of (1) Varilease Finance, Inc.; (2) Moss Street Properties; (3) Laborers International Union of North America, Local 310; (4) Edco Tool & Supply; (5) James R. Bingham; Burckhardt Properties, LLC; Katherine Marsh; Douglas G. Fiege; Kay M. Fiege; Sursattie Persaud; Sarah J. Bateman; Sidney H. Leung; Peter Bell, and Richard K. Mathews, d/b/a 401 Kompany (collectively, the “Minnesota Landlord”)); (6) Waco Spring Road, LLC; (7) Leeward Marine, Inc.; (8) Aston Hotels & Resorts, LLC; and (9) Buffalo Laborers Benefit Funds, for allowance

of a chapter 11 administrative expense claim. The Court having considered the Motions, and upon the agreement of the Movants and the chapter 7 trustee for the Debtors' estates as indicated below, and it appearing to the Court that granting the relief on the terms and conditions as specified herein is the best interests of the estates, and good cause having been shown,

IT IS HEREBY ORDERED:

1. The Movants are allowed a chapter 11 administrative expense claims in the amounts set forth on Exhibit "A" attached hereto and incorporated herein by reference of equal priority and *pari passu* with all other chapter 11 administrative expense claims allowed by the Court in each of the *Waco Equipment Co.* and *Waco International Corporation* chapter 7 cases, case numbers 11-17851 and 11-17844, respectively, pursuant to 11 U.S.C. § 503(b)(1).

2. Notwithstanding the allowance of Movants' chapter 11 administrative expense claims as provided herein, payment on account of such claim from the estates shall be deferred until the earlier of: (i) the Trustee's administration of the Debtors' chapter 7 estates, (ii) payment of any other chapter 11 administrative expense claims allowed pursuant to 11 U.S.C. § 503(b) or otherwise, and (iii) further order of the Court regarding distributions generally to holders of allowed chapter 11 administrative expense claims.

3. Notwithstanding the allowance of Movant's chapter 11 administrative expense claim against the estates of both *Waco Equipment Co.* and *Waco International Corporation*, Movants' recoveries shall not exceed, in the aggregate, the respective amounts set forth on Exhibit "A".

4. As relates to Local 310's claims, the balance of the claims not itemized in Exhibit "A" in the respective amounts of (a) \$36,169.87 for vacation pay and personal pay owed, and (b) \$3,750.00 for boot vouchers shall be allowed as general unsecured claims.

5. **AGREED TO:**

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	Exhibit "A"		
CLAIMANT	AMOUNT	DOCKET #	
Varilease Finance, Inc.	\$18,403.28	253	
Moss Street Properties	\$65,626.01	254	
Laborers Int'l Union of N. Am., Local 210	17,293.25	224	§503(b)(1)(A)
Laborers Int'l Union of N. Am., Local 210	\$46,071.28	230	§507(a)4)
Edco Tool & Supply	\$562.39	281	
Sarah J. Bateman, et al.	\$9,486.00	291	
Waco Spring Road, LLC	Waived per Separate Settlement	294	
Leeward Marine, Inc.	\$26,982.00	297	
Aston Hotels & Resorts, LLC	\$24,894.04	299	
Buffalo Laborers Benefit Funds	\$6,388.80	313	